

Amendment and Response

Applicant: Michael Whitmarsh et al.

Serial No.: 09/710,368

Filed: November 10, 2000

Docket No.: 10003975-1

Title: PRINT PROCESSING SYSTEM AND METHOD WITH IMAGE ADVISOR SERVICE**REMARKS**

The following Remarks are made in response to the Non-Final Office Action mailed June 10, 2004, in which claims 1-26 were rejected. With this Amendment, claims 1, 3-14, and 26 have been amended to clarify Applicant's invention. Claims 1-26, therefore, remain pending in the application and are presented for reconsideration and allowance.

Form PTO-1449

The Examiner's attention is directed to the Form PTO-1449 previously filed on *November 10, 2000*. To date, Applicant has not received an initialed and signed copy of the PTO-1449 confirming that the cited references have been considered. Applicant requests that an initialed and signed copy of the Form PTO-1449 previously filed on *November 10, 2000* be returned.

For the convenience of the Examiner, accompanying this Amendment and Response is a copy of the Form PTO-1449 previously filed on *November 10, 2000*, as well as a copy of the returned postcard acknowledging receipt of the Form PTO-1449.

Claim Rejections under 35 U.S.C. § 102

Claims 1-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Blumberg et al. U.S. Patent Application Publication No. 2003/0140315.

With this Amendment, independent claim 1 has been amended to clarify that the method includes determining an appropriate application for the image with the print processing system controller based on the image, including processing the print request and the data file for the image by the print processing system controller to determine the appropriate application for the image. In addition, independent claim 14 has been amended to clarify that the print processing system controller is adapted to process the print request and the data file to determine an appropriate application for the image based on the image.

With respect to the Blumberg et al. publication, this publication does not teach or suggest a method of processing an image, as claimed in amended independent claim 1, nor a system for processing an image, as claimed in amended independent claim 14. For example, the service of the Blumberg et al. publication includes a user interface that enables a user to select finishing options for a document and interactively displays a proof of how the finished

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document will look when the user's selected finishing options are applied (para. 30). The service of the Blumberg et al. publication, however, does not determine an appropriate application for an image based on the image itself. Rather, the service of the Blumberg et al. publication simply displays a document with finishing options as selected by the user.

In view of the above, Applicant submits that independent claims 1 and 14 are each patentably distinct from the Blumberg et al. publication and, therefore, are in a condition for allowance. Furthermore, as dependent claims 2-11 further define patentably distinct claim 1 and dependent claims 15-25 further define patentably distinct claim 14, Applicant submits that dependent claims 2-11 and dependent claims 15-25 are also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 1-11 and 14-25 under 35 U.S.C. 102(e) be reconsidered and withdrawn and that claims 1-11 and 14-25 be allowed.

With this Amendment, claims 12 and 26 have been amended and rewritten in independent form such that the method of rewritten independent claim 12 includes determining an appropriate application for the image with the print processing system controller, including processing the print request and the data file for the image by the print processing system controller to determine the appropriate application for the image, wherein processing the data file for the image includes determining from the data file at least one of a print resolution of the image, a bit depth of the image, a size of the image, a file size of the image, and a quality of the image, and the system of rewritten independent claim 26 includes a print managing system controller wherein the print managing system controller is adapted to process the print request and the data file to determine an appropriate application for the image, wherein the appropriate application for the image is based on at least one of a print resolution of the image, a bit depth of the image, a size of the image, a file size of the image, and a quality of the image.

With respect to the Blumberg et al. publication, this publication does not teach or suggest a method of processing an image, as claimed in rewritten independent claim 12, nor a system for processing an image, as claimed in rewritten independent claim 26. As described above, the service of the Blumberg et al. publication simply displays a document with finishing options as selected by the user.

In view of the above, Applicant submits that rewritten independent claims 12 and 26 are each patentably distinct from the Blumberg et al. publication and, therefore, are in a

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condition for allowance. Furthermore, as dependent claim 13 further defines patentably distinct claim 12, Applicant submits that dependent claim 13 is also in a condition for allowance. Applicant, therefore, respectfully requests that the rejection of claims 12, 13, and 26 under 35 U.S.C. 102(e) be reconsidered and withdrawn and that claims 12, 13, and 26 be allowed.

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In view of the above, Applicant respectfully submits that pending claims 1-26 are all in a condition for allowance and requests reconsideration of the application and allowance of all pending claims.

Any inquiry regarding this Amendment and Response should be directed to either James R. McDaniel at Telephone No. (208) 396-4095, Facsimile No. (208) 396-3958 or Scott A. Lund at Telephone No. (612) 573-2006, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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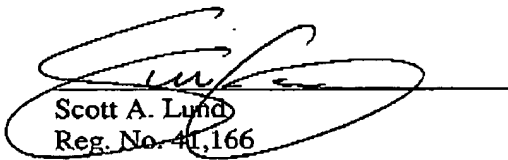
Respectfully submitted,

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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306 on this 10th day of September, 2004.

By 
Name: Scott A. Lund